® Prohibition against using or storing toxic or hazardous materials on any site if storage involves quantities greater than 250 gallons or 2000 pounds of dry material. Exceptions are provided for limited storage of fuel products for on-site use. Retail gasoline stations are allowed provided they conform to the strictest provisions of the county code for underground storage tanks.

• Prohibition against discharge of industrial wastes from processes containing restricted toxic or hazardous chemicals to the ground water or to any sewage system. The law contains an exception that allows discharge of such waste to a central sewage system that discharges outside of the deep recharge zones or to the ocean.

It is important to note that existing uses and discharges are not affected by passage of this regulation. Therefore its anticipated effectiveness is largely due to the undeveloped nature of the areas it covers. This is not so great a deficiency in Suffolk County as it might be in other areas because most discharges are already controlled (although not prohibited entirely) by the state ground water discharge permit (SPDES) program. Storage of toxic and hazardous materials is rigorously controlled by the county under its Article 12.

Article 7 will prohibit a large segment of potential industrial development in 260,000 acres, approximately 25 percent of the county. Because of its perceived economic impact, it was strongly opposed by the supervisors of Brookhaven and Riverhead, where much of the undeveloped industrial land is located. Contrary to early fears, the restrictions contained in Article 7 have not driven industry from Suffolk County. Similar restrictions were placed through deed restrictions on an industrial park in the county, which was to be occupied by a major pharmaceutical company. The developer placed the restrictions on the property in response to pressure generated by a major local newspaper. It was found that several businesses were attracted to the location, wanting to be located in a clean site where they would not risk sharing the liability of a polluting neighbor.

In spite of the broad impact the regulation is expected to have on land use, no major new commitment of manpower is planned for its implementation. Article 7 is largely enforced through existing permit programs such as on-site sewage disposal, storage tank regulations, and state discharge permits. Implementation of the by-law has not yet begun, but it appears that this is a resource-efficient means of accomplishing comprehensive protection of ground water from nonresidential uses.

County and Municipal Ordinances

Municipal By-Laws Controlling Toxic and Hazardous Materials on Cape Cod A model by-law drafted by the Cape Cod Planning and Economic